

IN THE UNITED STATES DISTRICT COURT
THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

S. JAIN, for herself, and as parent of and)
for her son "A", a minor,)
Plaintiffs,)
)
vs)
)
BUTLER ILLINOIS SCHOOL)
DISTRICT 53, THE BOARD OF)
EDUCATION OF THE BUTLER)
ILLINOIS SCHOOL DISTRICT 53,)
LOU PASKALIDES, in his official)
capacity", RAJIV ADVANI, in his)
official capacity, LIZ CHUN, in her)
official capacity, TODD RUSTENBERG,)
in his official capacity, HITESH PATEL,)
in his official capacity, ALAN)
HANZLIK, in his personal and official)
capacity, ALAN KUMAR, in his official)
capacity, HEIDI A. WENNSTROM, in)
her personal and official capacities,)
KELLY VOLIVA, in her personal and)
official capacities, and LISA OWEN, in)
her personal and official capacities,)
LIBBY N. MASSEY, CAROLINE)
ROSELLI, and ATTORNEY DOE,)
)
Defendants.)
)

DECLARATION IN SUPPORT OF PLAINTIFFS'
REQUEST FOR ENTRY OF DEFAULT

Case Number 1:17-cv-00002

Hon. Ronald A. Guzman, U.S. D.J.

Hon. Sidney I. Schenkier, U.S. Mag.

DECLARATION

Richard P. Caro, attorney for Plaintiffs, hereby declares and states:

1. This action was filed on January 2, 2017. On January 4, 2017, a copy the Summons and Complaint and Request for Waiver of Personal Service were sent to all the Defendants. Defendants Libby Massey and Caroline Roselli accepted failed their waivers of service on January 13, 2017.

2. On January 6, 2017, the Hon. Ronald A. Guzman, U.S.D.J., entered an Order directing attorneys for all the parties to appear before him on March 1, 2017, and to confer at least 2 weeks before March 1, 2017, in accordance with his initial Standing Court Order. Accordingly, I had the Summons and Complaint, and a copy of my letter to them dated January 9, 2017, appended hereto as Exhibit 1, served on all the Defendants on January 13, 2017, January 14, 2017, or January 17, 2017, by John Vale. (Return of Summons Executed, filed on February 2, 2017,

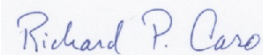
Docket Entry No. 9.). They thus had notice of the Judge's January 6, 2017 Order and the Judge's Standing Order which was quoted verbatim in my letter.

3. These 12 Defendants, Butler Illinois School District 53, The Board of Education of the Butler Illinois School District 53, Lou Paskalides, Rajiv Advani, Liz Chun, Tood Rustenberg, Hishel Patel, Alan Hanzlik, Alan Kumar, Heidi A. Wennstrom, Kelly Volvia and Lisa Own, have not timely responded to the Complaint by filing their Answers or Dismissal Motion, nor have they appeared by an attorney in the case, nor contacted me to request an extension of time to respond to the Complaint. They have, accordingly, defaulted and disregarded the Court's January 6, 2017, Court Order.

4. To the best of my knowledge, information and belief, none of the individual Defendants is neither an infant or incompetent person, nor an active member in military service within the purview of the Servicemembers Civil Relief Act, 30 U.S.C. App. § 501 *et seq.*

The above statements based on personal knowledge
are true and correct and made under penalty of perjury.

Dated: February 8, 2017

A handwritten signature in blue ink that reads "Richard P. Caro".

Richard P. Caro

Exhibit 1

Richard P. Caro, A.B., M.A.T., J.D.
rpc29@yahoo.com
(312) 375-1415

January 9, 2017

To: Defendants in S. Jain v. Butler II. Sch. Dis., Et Al.

Enclosed are the Summons and Complaint.

Also enclosed is a copy of the Court's Order entered January 6, 2017, setting March 1, 2017, for lead counsel to appear before the Judge.

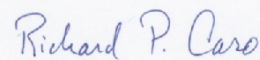
Under the Judge's case management rules, we are required to meet at least two (2) weeks before the March 1 court hearing for a conference:

"At least 14 days before an initial status hearing the parties shall meet to discuss the nature and basis of their claims and defenses and the possibilities for a prompt settlement or resolution of the case. The parties shall also meet to discuss for the arrangement of the disclosures required by Rule 26(a)(1) and to develop a proposed discovery plan. A written report outlining the discovery plan shall be filed with the clerk's office 3 business days before the initial status hearing. Plaintiff is responsible for initiating such a meeting and all parties are required to attend by lead counsel. Failure or refusal to participate in such a meeting or to cooperate in the preparation of the written report may constitute a basis for sanctions. Lead counsel for each party is required to attend the initial status hearing. The parties shall deliver a copy of the initial status report to the Courtroom Deputy (Room 1218) three business days before the initial status hearing."

To give everyone the maximum time to prepare, the conference will be held on Tuesday, February 14, 2017, at 10:00 A.M.. Once I have your attorney's appearances, I will email defense counsel the time and place for the conference and an outline of the topics to be discussed and resolved at the meeting.

Since as of January 1, 2017, all filings are to electronically filed, the preferred practice is to also have all communications between the parties to be also done electronically by email. So please communicate with me by email, including sending me any letters and documents.

Yours truly,

A handwritten signature in blue ink that reads "Richard P. Caro". The signature is written in a cursive, flowing style.